

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

MAR 2 2006

OFFICE OF
MANAGING DIRECTOR

Lawrence Rogow, Chairman
World Television of Washington, LLC
4164 Meridian
Suite 102
Bellingham, WA 98226

Re: World Television of Washington, LLC
FY 2005 Regulatory Fees
KBCB(TV), Bellingham, Washington
Fee Control No. 050908883503100

Dear Mr. Rogow:

This is in response to your September 21, 2005 request (*Letter*) filed on behalf of World Television of Washington, LLC (WTW), licensee of KBCB(TV), Bellingham, Washington, for a partial refund of the fiscal year (FY) 2005 regulatory fee. You request a refund reflecting the difference between the regulatory fee that Station KBCB(TV) paid for FY 2005 (\$17,525.00) and the amount charged to UHF television stations in markets 51 through 100 under section 1.1153 of the Commission's rules (\$6,125.00.00), *i.e.*, \$11,400.00.¹ Our records reflect that you paid the \$17,525.00 regulatory fee. For the reasons stated herein, we grant your request.

KBCB(TV) is in the Seattle-Tacoma Designated Market Area (DMA), which is the 13th largest market.² You recite that KBCB(TV)'s "signal cannot be received over-the-air in either Seattle or Tacoma" and that the station's "Grade B service area can only be received by 817,227 people within the Seattle-Tacoma DMA[, which means that the] . . . signal reaches less than 20 percent of the Seattle-Tacoma DMA populace."³ You assert that because "there are 2.62 persons per television households within the Seattle-Tacoma DMA and 311,919 television households within the Grade B service area of KBCB, the [station] . . . is effectively serving a market equivalent to DMA market size number 94 (which is currently Davenport, Iowa)."⁴ You also state that KBCB(TV) is not a network affiliate.⁵

¹ We note that WTW erroneously calculated the difference between \$17,525.00 and \$6,125.00. to be \$11,450.00. See *Letter* at 2.

² See *Television & Cable Factbook*, No. 74, A-4 and A-2416 (2006) (*Factbook*). We note that the "Nielsen DMA, TV Household information and [television market] rank[ings] in the 2006 edition of the *Factbook* are based on the 2005 Nielsen U.S. Television Household Estimates." *Id.* at A-1.

³ *Letter* at 1-2. You attach a map that depicts KBCB(TV)'s Grade B coverage area with a population underlay. See *Letter*, Attachment A.

⁴ *Letter* at 2.

⁵ *Id.*

In deciding whether to reduce regulatory fees for a television station below the fees assessed for stations in the relevant DMA, the Commission has considered factors such as whether the station is located outside the principal city's metropolitan area, whether it provides a Grade B signal to a substantial portion of the market's metropolitan area, and whether it lacks network affiliation.⁶ Stations that meet these criteria and request fee reductions will be assessed regulatory fees based on the number of households they serve; stations that serve fewer television households than are in the top 100th market will be assessed the regulatory fee for remaining market stations.⁷

For purposes of the FY 2000 regulatory fee, the Office of Managing Director (OMD) found that because KBCB(TV) is not a network affiliate, is located outside the Seattle-Tacoma, Washington metropolitan area, and its Grade B signal (encompassing 79,600 television households) does not serve a substantial portion of the Seattle-Tacoma, Washington metropolitan area (*citing the 2000 Television & Cable Factbook*), KBCB(TV) should be treated as a remaining market station.⁸ Similarly, for purposes of the FYs 2001, 2002, and 2003 regulatory fees, OMD found that circumstances had not changed since the *FY 2000 Letter Decision* so as to affect KBCB(TV)'s qualification for a regulatory fee reduction.⁹ OMD therefore found that KBCB(TV) should be treated as a remaining market station for those years as well.

With respect to the FY 2005 regulatory fee, we find that because KBCB(TV) is located outside the principal city's metropolitan area in its assigned DMA, does not provide a Grade B signal to a substantial portion of its market's metropolitan area, and is not a network affiliate, the station has met the Commission's standards, as set forth above, for reducing the station's regulatory fee. In the absence of Nielsen data reflecting the number of television households covered by KBCB(TV), our review of the data you have submitted reflects that the station's Grade B contour covers 311,919 television

⁵ *Id.*

⁶ *Implementation of Section 9 of the Communications Act*, 10 FCC Rcd 12759, 12763 (1995).

⁷ *Id.*

⁸ See Letter from Mark Reger, Chief Financial Officer, (CFO), OMD, FCC, to Elizabeth E. Goldin, Wiley, Rein & Fielding (Feb. 8, 2001) (noting that WTW is under a continuing obligation to report to the Commission any circumstances that could affect KBCB(TV)'s qualification for regulatory fee reduction) (*FY 2000 Letter Decision*).

⁹ See Letter from Mark A. Reger, CFO, OMD, FCC, to Eve J. Klindera, Esq., Wiley, Rein & Fielding (Nov. 27, 2001) (refund of FY 2001 regulatory fees); Letter from Mark A. Reger, CFO, OMD, FCC, to Paul Koplin, President, WTW (Jan. 9, 2004) (refund of FY 2002 regulatory fees); Letter from Mark A. Reger, CFO, OMD, FCC, to Brooke Temple, Vice President, WTW (Jan. 9, 2004) (refund of FY 2003 regulatory fees).

households and thus serves households comparable to those served by stations in the 94th DMA.¹⁰ Under the circumstances, we find that it is appropriate that KBCB(TV) be treated as comparable to a UHF commercial station in markets 51 through 100 and be subject to a \$6,125.00.00 regulatory fee for FY 2005. We therefore grant station KBCB(TV) a refund of the FY 2005 regulatory fee in the amount of \$11,400.00.

A check made payable to the maker of the original check and drawn in the amount of \$11,400.00 will be provided at the earliest practicable time. If you have any questions concerning this letter, please call the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



Mark A. Reger
Chief Financial Officer

¹⁰ See *Factbook* at A-4 and A-2416.

world
television
KBCB TV 24

RECEIVED FCC/FOC/TOG

SEP 23 2005

BY: _____

RECEIVED & INSPECTED

SEP 23 2005

FCC - MAILROOM

4164 Meridian
Suite 102
Bellingham, WA
98226 USA

T 360.647.8842

F 360.647.9204

September 21, 2005

VIA OVERNIGHT DELIVERY

Office of the Managing Director

Attn: Regulatory Fee Waiver/Reduction Request

Federal Communications Commission

445 12th Street, S.W.

Room 1-A625

Washington, D.C. 20554

WAIVER TRACKING

NTL# 6124

*226 Letter
Assign to Regina
3002 fukler*

FCN# 05090798 3503100

Re: Request for Partial Refund of Regulatory Fees for Fiscal Year 2005
World Television of Washington, LLC
KBCB, Channel 24, Bellingham, Washington
Facility Id. No. 53586

Dear Office of the Managing Director:

As it has over the past few years, World Television of Washington, LLC ("WTW"), licensee of KBCB, Channel 24 at Bellingham, Washington, hereby requests a reduction in its regulatory fees pursuant to "FY2000 Mass Media Regulatory Fees," Public Notice 20318, August 2, 2000.

The Seattle-Tacoma Designated Market Area ("DMA") is a Top 25 DMA and stations in this market are required to pay \$17,525 as their annual regulatory fee in the 2005 Fiscal Year. The Seattle-Tacoma DMA includes 4,432,000 persons. (BIA's Television Year Book 2005).

In the implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, the Commission concluded that stations that "lack network affiliations, and are located outside of the principle city's metropolitan area and do not provide a grade B signal to a substantial portion of the market's metropolitan areas....will be assessed a fee based on the number of television households served, and will be charged the same as stations serving markets within the same number of television households." 10 FCC Rcd 12759 (1995), paras. 21-22.

KBCB is licensed to Bellingham, Washington, which is in the far northern end of the Seattle-Tacoma DMA. Due to this location, the KBCB signal cannot be received over-the-air in either Seattle or Tacoma. In fact, as illustrated in the attached map of KBCB's Grade B contour (See Attachment A), KBCB's Grade B service area can only be

received by 817,227 people within the Seattle-Tacoma DMA. In other words, the KBCB over-the-air signal reaches less than 20% of the Seattle-Tacoma DMA populace. Additionally, KBCB is not a network affiliate. KBCB is predominately a foreign language broadcaster.

Accordingly, WTW believes that circumstances dictate that the KBCB regulatory fees be adjusted in accordance with the Implementation of Section 9 of the Communications Act, Assessment and Collection of Regulatory Fees for the 1994 Fiscal Year, 10 FCC Rcd 12759 (1995), paras. 21-22. As there are 2.62 persons per television household within the Seattle-Tacoma DMA and 311,919 television households within the Grade B service area of KBCB, the Licensee is effectively serving a market equivalent to DMA market size number 94 (which is currently Davenport, Iowa). See Attachment B for BIA's Television Year Report 2005. Stations in markets 51-100 pay a regulatory fee of \$6,125, which is \$11,450 less than what WTW paid in 2005 as indicated in Attachment C.

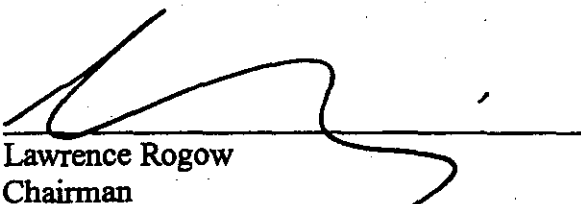
We therefore request a refund of \$11,450.00.

RECEIVED FCC/FOC/TOG

SEP 23 2005

BY: _____

Sincerely,



Lawrence Rogow
Chairman
World Television of Washington, LLC

Attachments.